

UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

JOSE MARTINEZ,

Plaintiff,

vs.

CREATIVE CONCEPTS, INC., et al.,

Defendants.

Case No. 2:12-cv-00277-JCM-PAL

ORDER

The court conducted a hearing on July 10, 2012, regarding the parties' proposed Stipulated Discovery Plan and Proposed Scheduling Order (Dkt. #29). The court's calendar indicated that counsel would be appearing telephonically. However, no information was given to the court regarding counsels' contact information. Since neither counsel appeared for the hearing, the parties' proposed Stipulated Discovery Plan and Proposed Scheduling Order (Dkt. #29) was initially denied. Shortly thereafter, the court realized that the parties had complied with the court's Order (Dkt. #31) wherein they were instructed to call the undersigned's courtroom deputy before 4:00 p.m. on 7/9/12, to indicate the names of the parties and telephone numbers where they could be reached. Unfortunately, the undersigned's courtroom deputy had fallen ill and the information left by the parties did not get conveyed to the court.

The parties submitted a proposed Stipulated Discovery Plan and Proposed Scheduling Order (Dkt. #29) extending the discovery plan and scheduling order deadlines in this case to align with an agreed-upon proposal for a new scheduling order filed in the related case of Hernandez, et al. v Creative Concepts, 2:10-cv-02132-PMP-VCF. The court set the matter for a hearing because the parties had not yet submitted a stipulated protective order which was being circulated for the parties to review at the time the stipulation was submitted. Additionally, the parties had disputes concerning the sequencing of

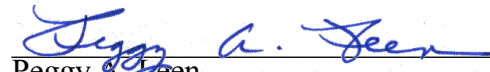
1 discovery. Finally, in reviewing the docket, it appears that Creative Concepts has not yet made an
2 appearance. On June 27, 2012, the clerk of the court entered a notice regarding intention to dismiss
3 pursuant to Rule 4(m) of the Federal Rules of Civil Procedure for the Plaintiff's failure to serve
4 Defendant Creative Concepts, Inc.

5 With the court's apologies for the confusion,

6 **IT IS ORDERED** that:

- 7 1. The matter is reset for hearing to address the issues outlined in this order, for **July 19,**
8 **2012, at 11:00 a.m.** The parties may attend telephonically.
- 9 2. Each party requesting to appear telephonically is instructed to call Jeff Miller,
10 Courtroom Deputy, at (702) 464-5420 **before 4:00 p.m., July 18, 2012**, to indicate the
11 name of the party participating and a telephone number where that party may be reached.
12 The courtroom deputy will initiate the call for the hearing.

13 Dated this 12th day of July, 2012.

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16 Peggy A. Zeen
17 United States Magistrate Judge
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